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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,638	04/14/2004	Hisashi Tsubata	Q80896	4616
23373	7590	02/08/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			RODRIGUEZ, GLENDA P	
			ART UNIT	PAPER NUMBER
			2651	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/823,638

Applicant(s)

TSUBATA, HISASHI

Examiner

Glenda P. Rodriguez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/14/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hamada (JP 2000-067433A).

Regarding Claims 1 and 4, Hamada teaches a pair a pair of magnetic transfer master carriers, said magnetic transfer carrier comprising:

A front master carrier and a back master carrier for magnetically transferring servo signals to each of a front side and a back side of a magnetic disk medium (See Drawing 1, Element 2, which is the front and back master carrier.),

Wherein a positioning portion is provided on each of the front master carrier and the back master carrier, the positioning portion showing a transfer position on the front side and the back side of the magnetic disk medium to each of which the servo signals are to be transferred (See Drawing 1, Elements 8 and 5, wherein they provide positioning means for the masters and slave in order to be in close contact), and the positioning portion designates a predetermined rotational relationship between the front master carrier and the back master carrier by providing a physical feature respectively on a portion of the front master carrier and the back master carrier along a first radial direction, which distinguishes said

portion from another portion along a second radial direction of the front master carrier and back master carrier respectively (See [0010] and [0031]-[0034], wherein the rotational phases can be arranged in the magnetic disk Element 1).

Regarding Claim 2, Hamada et al. teach all the limitations of Claim 1. Hamada et al. further teach wherein the positioning portion is a protruded portion (Element 8, which is a elastic spindle that protrudes as seen in Drawings 6, 7 and 8).

Regarding Claim 3, Hamada et al. teach all the limitations of Claim 1. Hamada et al. further teaches wherein the positioning portion is provided such that positions of sectors that are allocated in a circumferential direction on the front side and the back side of the magnetic disk medium are matched to each other (See [0034], wherein it teaches that the patterns can be arranged, therefore, they can match or mismatch depending on the arrangement.).

Regarding Claim 5, Hamada et al. teach all the limitations of Claim 1. Hamada et al. further teaches wherein a slave medium is provided, and the slave medium comprises a positioning portion to indicate its rotational relationship with the front master carrier and the back master carrier (See [0034], wherein it teaches that the patterns can be arranged, therefore, they can match or mismatch depending on the arrangement.).

Regarding Claim 6, Hamada et al. teaches all the limitations of Claim 1. Hamada further teaches wherein the front master carrier and the back master carrier respectively include a center hole, and the positioning portion comprises a portion of the center hole (See Drawing 9).

Regarding Claim 7, Hamada et al. teach all the limitations of Claim 6. Hamada et al. further teaches wherein the center hole includes a flattened portion along a circumferential

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direction, which provides the physical feature (See Drawings, along with its Descriptions, of 1-3).

Regarding Claim 8, Hamada et al. teach all the limitations of Claim 6. Hamada et al. further teaches wherein the center hole includes a notch that extends in the first radial direction, which provides the physical feature (See Drawings, along with its Descriptions, of 1-3).

Regarding Claims 9 and 10, Hamada et al. teach all the limitations of Claim 4. Hamada et al. further teaches wherein the front master carrier and the back master carrier respectively include a center hole with a flattened portion along a circumferential direction, which provides the positioning portion of the front master carrier and the back master carrier (See Drawings and Explanations of 1 and 9).

Regarding Claim 11, Hamada et al. teach all the limitations of Claim 4. Hamada et al. further teaches wherein the physical feature comprises a flattened portion along an outer circumferential surface of the magnetic disk medium (See Drawing 1, Elements 5, 6 and 7).

Regarding Claim 12, Hamada et al. teach all the limitations of Claim 11. Hamada et al. further teach wherein the front master carrier and the back master carrier respectively include an outer circumferential surface with a flattened portion to provide the positioning portion of the front master carrier and the back master carrier, and which corresponds to the flattened portion of the magnetic disk medium (See Drawing 1 and Description of 1).

### *Response to Arguments*

3. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection due to the newly amended Claims.

### *Conclusion*

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenda P. Rodriguez whose telephone number is (571) 272-7561. The examiner can normally be reached on Monday thru Thursday: 7:00-5:00; alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
gpr  
02/02/06.

  
**DAVID HUDSPETH**  
**SUPERVISORY PATENT EXAMINER**  
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